

AN ORDINANCE TO WITHDRAW CERTAIN TERRITORY THAT WAS ERRONEOUSLY INCLUDED IN THE HEALTH HAZARD ANNEXATION OF THE FOSTER-MIDWAY AREA, AND DECLARING AN EMERGENCY.

Whereas, the Health Division of the Oregon State Department of Human Resources determined that a danger to public health existed in a certain area known as the Foster-Midway area; and

Whereas, in accordance with the health hazards annexation law of the State of Oregon, Oregon Revised Statutes 222.850 to 222.915, the City of Sweet Home annexed the said Foster-Midway area by Ordinance No. 674, passed and approved on December 28, 1976; and

Whereas, there was erroneously included in the area that the Health Division found to have conditions evidencing a danger to public health, and therefore, erroneously included in the area annexed by said Ordinance No. 674, the territory described as follows:

Tract 31, RUSSELL TRACTS, Linn County, Oregon.

AND ALSO:

Beginning at the Southwest corner of Tract 32, of Russell Tracts in Township 13 South, Range 1 East of the Willamette Meridian, Linn County, Oregon; and running thence North 89° 54' West 148.38 feet; thence South 0°16' East 309.50 feet to a 3/4 inch pipe; thence South 89°54' East, parallel to the South line of Russell Tracts, 426.06 feet to the East line of the Newton Russell Donation Land Claim No. 41 in said township and range; thence North 1°08' East along the East line of Claim No. 41, a distance of 309.54 feet to the South line of Russell Tracts; thence North 89°54' West 285.29 feet to the place of beginning.

Whereas, Homer I. Pack and Betty D. Pack, being the owners of all of the real property in the said territory hereinabove described have petitioned the Council of the City of Sweet Home to withdraw said territory from the City of Sweet Home; and

Whereas, the Assistant Director for Health, Health Division, Department of Human Resources, State of Oregon, has given her written consent to the withdrawal of the said territory from the City of Sweet Home; now, therefore,

THE CITY OF SWEET HOME DOES ORDAIN:

Section 1. Territory Withdrawn. The territory described below is hereby withdrawn from the City of Sweet Home in accordance with 1981 Oregon Laws, Chapter 888, which has been enacted and added to and made a part of Oregon Revised Statutes 222.850 to 222.915; and said territory is described as follows:

Tract 31, RUSSELL TRACTS, Linn County, Oregon.

AND ALSO:

Beginning at the Southwest corner of Tract 32, of Russell Tracts in Township 13 South, Range 1 East of the Willamette Meridian, Linn County, Oregon; and running thence North 89° 54' West 148.38 feet; thence South 0°16' East 309.50 feet to a 3/4 inch pipe; thence South 89°54' East, parallel to the South line of Russell Tracts, 426.06 feet to the East line of the Newton Russell Donation Land Claim No. 41 in said township and range; thence North 1°08' East along the

East line of Claim No. 41, a distance of 309.54 feet to the South line of Russell Tracts; thence North 89°54' West 285.29 feet to the place of beginning.

Section 2. Record. The city recorder shall file with the Secretary of State of Oregon a copy of this ordinance, a copy of the consent of the Assistant Director of the Health Division, and a copy of the petition of the owners of the real property in the said territory, requesting that it be withdrawn from the City of Sweet Home. The City of Sweet Home shall also file a copy of this ordinance, which contains the legal description of the territory to be withdrawn, and an accurate map of the territory to be withdrawn, with the Linn County Assessor and also with the Department of Revenue, State of Oregon. The city recorder shall also file a copy of this ordinance with the Linn County Clerk.

Section 3. Emergency Clause. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health, and safety. Therefore, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council and approved by the Mayor this 29th day of September, 1981.

ATTEST:

K. M. [Signature]
City Manager

Robert [Signature]
Mayor

I.M.

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